Maine Center for Disease Control and Prevention
An Office of the Department of Health and Human Services
Paul R. LePage, Governor Mary C. Mayhew, Commissioner

Department of Health and Human Ser
Maine Center for Disease Control and Prevei
286 Water Street
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Tel. (207) 287-8016
Fax (207) 287-9058; TTY (800) 606-0215

Tel. (207) 287-5672 Subsurface Wastewater Unit Fax (207) 287-4172

Inspections Division
Date: 10/27/15

October 20, 2015

City of Portland
Jeanie Bourke
389 Congress Street
Portland, Maine 04101

Subject: Approval, **WITH STIPULATION,** Replacement System Variance Request, Michelle Andreoli Property, 240 Lane Ave., Portland, Maine. Mailing Address Of: Owner/Applicant: SAME.

Jonathan;

We have completed our review of an HHE-200 Form dated 07-07-2015 for the property at 240 Lane Ave., Portland, Maine.

The variance requested which is not within the LPI's authority is an 18" separation from the bottom of the disposal feld to the limiting factor of groundwater.

The variances requested that is within the LPI's authority is a 3:1 fill extension.

The variance request has been submitted because topography and existing development limit the potential of the system location and the system design prepared by Stephen Marcotte, SE # 387 on 07-07-2015 is otherwise found to be in compliance with the Maine Subsurface Wastewater Disposal Rules.

We approve the local requested variance with the following requirements:

1. A permit for system installation is to be obtained from the Local Plumbing Inspector in advance of the start of system construction.
2. The system is to be installed in accordance with the submitted and approved system design. Should alterations to the design be required at the time of construction, the site evaluator is to be notified prior to making any changes.
3. The contractor is to scarify the soils under the fill extensions to create a transitional zone more compatible with the disposal field area.
4. The Site Evaluator is taking full responsibility for the design and separation distance as requested in the variance.
5. **STIPULATION; OWNER MUST SIGN HHE-200 FORM BEFORE PERMITTING**

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By accepting this approval and the associated plumbing permit, the owner agrees to comply fully with the conditions of approval and the Subsurface Wastewater Rules.

Because installation and owner maintenance has a significant effect on the working order of onsite sewage disposal systems, including their components, the Division makes no representation or guarantee as to the efficiency and/or operation of the system.

Should you or others have any questions, please feel free to contact me at 592-7376.

Sincerely,

Brent Lawson, State Plumbing Inspector
Subsurface Wastewater Program
Division of Environmental Health
e-mail: brent.lawson@maine.gov

/BML
xc: File
Michelle Andreoli, Owner/Applicant.
Stephen Marcotte, SE

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SUBSURFACE WASTEWATER DISPOSAL SYSTEM VARIANCE REQUEST

This form must accompany an application (HHE-200 Form) for any subsurface wastewater disposal system which requires a variance to provisions of the Subsurface Wastewater Disposal Rules. The Local Plumbing Inspector must not issue a permit for the installation of a subsurface wastewater disposal system requiring a variance from the Department of Health and Human Services until approval has been received from the Department.

GENERAL INFORMATION Town of Portland

Property Owner's Name: Michelle Andreoli Tel. No.: 809-3972

System's Location: 240 Lane Avenue

Property Owner's Address: 240 Lane Ave. Portland, ME Zip Code 04103

e-mail address: Curt.Hamilton66@Gmail.com

The subsurface wastewater disposal system design for the subject property requires a ☒ replacement system variance ☐ first time system variance to the Subsurface Wastewater Disposal Rules. This variance requires ☐ local approval ☒ local and state approval.

SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator. Use additional sheets if needed.)

	SECTION OF RULE
1. Soils variance Table 4E (24" separation down to 18 to 20" separation)	Table 4E
2. Grade fill extensions at 3:1	Section 8.B.5.c
3.	

SITE EVALUATOR

When a property is found to be unsuitable for subsurface wastewater disposal by a licensed Site Evaluator, the Evaluator shall so inform the property owner. If the property owner, after exploring all other alternatives, wishes to request a variance to the Rules, and the Evaluator in his professional opinion feels the variance request is justified and the site limitations can be overcome, he shall document the soil and site conditions on the Application. The Evaluator shall list the specific variances necessary plus describe below the proposed system design and function. The Evaluator shall further describe how the specific site limitations are to be overcome, and provide any other support documentation as required prior to consideration by the Department. Attach a separate sheet if necessary.

Setback reductions were limited to the greatest practicable extent based on site conditions and limitations. Placement of addition sand fill below septic system is unreasonable given the site limitations. During system operation, there will be min. 18" of unsaturated sand below the system. Many auger boring indicate that TB-1 soils are consistently observed.

I, Stephen B. Marcotte, S.E., certify that a variance to the Rules is necessary since a system cannot be installed which will completely satisfy all the Rule requirements. In my judgment, the proposed system design on the attached Application is the best alternative available, enhances the potential of the site for subsurface wastewater disposal; and that the system should function properly.

SIGNATURE OF SITE EVALUATOR — DATE 7-7-2015.

PROPERTY OWNER

I, Michelle Andreoli Hamilton am the owner agent for the owner of the subject property. I understand that the installation on the Application is not in total compliance with the Rules. Should the proposed system malfunction, I release all concerned provided they have performed their duties in a reasonable and proper manner, and I will promptly notify the Local Plumbing Inspector and make any corrections required by the Rules. By signing the variance request form, I acknowledge permission for representatives of the Department to enter onto the property to perform such duties as may be necessary to evaluate the variance request.

Michelle Andreoli Hamilton — SIGNATURE OF OWNER — DATE 7/15/2015

☐ AGENT FOR THE OWNER

Inspections Division

Date: 10/27/15

LOCAL PLUMBING INSPECTOR - Approval at local level

The local plumbing inspector shall review all variance requests prior to rendering a decision.
I, _____, the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property. The proposed system (☐ does ☐ does not) conflict with any provisions controlling subsurface wastewater disposal in the shoreland zone. Therefore, I (☐ do ☐ do not) approve the requested variance. I (☐ will ☐ will not) issue a permit for the system's installation as proposed by the application.

LPI Signature _____ Date _____

LOCAL PLUMBING INSPECTOR - Referral to the Department

The local plumbing inspector shall review all variance requests prior to forwarding to the Division of Environmental Health.
I, Jonathan Rice, the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property. The proposed system (☐ does ☑ does not) conflict with any provisions controlling subsurface wastewater disposal in the shoreland zone. Therefore, I (☑ do ☐ do not) recommend the issuance of a permit for the system's installation as proposed by the application.

LPI Signature _____ Date 09/01/15

FOR USE BY THE DEPARTMENT ONLY

The Department has reviewed the variance(s) and (☑ does ☐ does not) give its approval. Any additional requirements, recommendations, or reasons for the Variance denial, are given in the attached letter.

SIGNATURE OF THE DEPARTMENT _____ DATE 10/20/15

Notes: 1. Variances for soil conditions may be approved at the local level as long as the total point assessment is at least the minimum allowed. (See Section 7.B.4 of the Subsurface Wastewater Disposal Rules for Municipal Review.)

2. Variances for other than soil conditions or soil conditions beyond the limit of the LPI's authority are to be submitted to the Department for review. (See Section 7.B.3 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.

SOIL, SITE AND ENGINEERING FACTORS FOR FIRST TIME SYSTEM VARIANCE ASSESSMENT WITH LIMITING SOIL DRAINAGE CONDITIONS (SEE TABLES 7C THROUGH 7M).

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile		
Depth to Groundwater/Restrictive Layer		
Terrain		
Size of Property		
Waterbody Setback	NOT APPLICABLE	
Water Supply		
Type of Development		
Disposal Area Adjustment		
Vertical Separation Distance		
Additional Treatment		
	TOTAL POINT ASSESSMENT:	

Minimum Points (Check One): ☐ Outside Shoreland Zone-50 ☐ Inside Shoreland Zone-65 ☐ Subdivision-65